

Declaration for Patent Application English Language Declaration		Attorney Docket No.	HO-P01815US1	
		First Name Inventor	Nicholas Bachynsky	
		COMPLETE IF KNOWN:		
<input type="checkbox"/> Submitted with initial filing <input checked="" type="checkbox"/> Submitted after initial filing (surcharge required 37 CFR 1.16(e))	Application No.	09/744,622		
	Filing Date	January 26, 2001		
	Group Art Unit	N/A		
	Examiner	Not Yet Assigned		

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CHEMICALLY INDUCED INTRACELLULAR HYPERTHERMIA

The specification of which

☐ is attached hereto
OR
☒ was filed on January 26, 2001
as United States Application No. or PCT International Application No. 09/744,622
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Not Claimed	Certified Copy Attached	
				YES	NO
<u>US99/16940</u> (Number)	<u>PCT</u> (Country)	<u>07/27/89</u> (Filing Date)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Filing Date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Filing Date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional prior foreign applications are listed on a supplemental data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/084,286</u>	<u>07/27/98</u>
(Application No.)	(Filing Date)
<u> </u>	<u> </u>
(Application No.)	(Filing Date)
<u> </u>	<u> </u>
(Application No.)	(Filing Date)

☐ Additional U.S. provisional applications are listed on a supplemental data sheet attached hereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00
Full name of sole or first inventor

Nicholas Bachynsky

Residence

Parkland, Florida *FL*

Citizenship USA

Mailing Address

6090 N.W. 66th Street, Parkland, FL 33067

2-00
Full name of second inventor

Woodie Roy

Residence

Parkland, Florida *FL*

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Mailing Address

6090 N.W. 66th Street, Parkland, FL 33067

I, James J. Naples, am the President of Texas Pharmaceuticals, Inc., a Texas corporation located at 701 West 14th Street, Texarkana, Texas 75501 ("the corporation"). I am duly authorized to sign on behalf of the corporation.

The corporation is the assignee of all rights and title in and to the invention that is the subject of this patent application. This is shown in the renewed petition under 37 C.F.R. § 1.47(b) that accompanies this declaration. As described in the accompanying renewed petition, both inventors, Nicholas Bachynsky and Woodie Roy, have refused to sign this declaration, which has been presented to them for execution. The corporation is therefore signing this declaration, under the provisions of 37 C.F.R. § 1.47(b), on behalf of and as the agent for both inventors. This action is necessary to preserve the rights of the parties and to prevent irreparable damage which will result if the application becomes abandoned.

I have information and belief that the facts in this declaration which the inventors would be required to state, if they signed, are accurate and true, and it is on this information and belief that I execute, on behalf of the corporation, this declaration on behalf of and as the agent for both inventors.

The undersigned being hereby warned that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such wilful false statements and the like may jeopardize the validity of the application or any patent issuing therefrom, I declare that all statements made herein by my own knowledge are true, and that all statements made herein on information and belief are believed to be true.

TEXAS PHARMACEUTICALS, INC. (Assignee)

By:

James J. Naples
President

Address: 701 W. 14th Street
Texarkana, Texas 75501

Date: 5/3/02

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airmail No. EU186311548US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: 5/1/2002

Signature:

Colby S. Delgado